

R E M A R K S

Claims 1 and 25 have been amended to correct the spelling of "benzimidazolone," thereby overcoming the objection to these claims. Claim 1 has been further amended to recite a melt viscosity not greater than 120 mPas•sec at 140°C., as disclosed in the original specification e.g. at p. 4, lines 12-13, and to incorporate the recital of original dependent claim 2; claims 2 and 3 have accordingly been cancelled as redundant. Since this Amend-ment does not increase either the total number of claims or the number of independent claims, no additional fee is necessary.

Claims 1, 4 - 7 and 25 are in the application. No claim has been allowed, but claim 25 has only been provisionally rejected, on an obviousness-type double patenting ground.

Rejection under §112

In response to the rejection of claims 1 and 4 - 7 under 35 U.S.C. §112, first paragraph, as lacking support in the written description for the recital (in claim 1) of a melt viscosity not greater than 125 mPas•sec at 140°C, claim 1 (on which claims 4 - 7 are dependent) has been amended to recite that the upper limit of melt viscosity at 140°C is 120 mPas•sec. The latter value is expressly supported in the disclosure of the original specification, and in applicants' Japanese priority application No. 2000-133980.

Rejections Applying JP '982

It is submitted that the amendment of claim 1 to recite that the upper limit of melt viscosity at 140°C is 120 mPas•sec clearly overcomes the rejection of claims 1 and 4 - 7 under §112, and

additionally overcomes all grounds of rejection of claims 1 and 4 - 7 based on JP '982 (set forth in numbered paragraphs 10-13 of the Office Action) since JP '982 is antedated as a reference by applicants' aforementioned Japanese priority application, which supports these claims as amended.

Applicants note that, with JP '982 removed as a reference, claim 2 (like claim 25) does not stand rejected on prior art except for obviousness-type double patenting (discussed below). As mentioned above, the limitations of claim 2 have now been incorporated into claim 1, with claim 2 cancelled as redundant; hence it is believed that amended claim 1, like claim 2 before the present Amendment, is not subject to any rejection on prior art other than the provisional obviousness-type double patenting rejection.

Other Rejections under §103(a)

Claims 1 and 4 - 7 have been rejected under 35 U.S.C. §103(a) on the following combinations of references (numbered in accordance with the numbering of paragraphs in the Office Action): (14) Elsermans in view of Iwasaki and Kuramoto (as evidenced by "applicants' admissions"); (15) Aoki in view of Moser, Iwasaki and Kuramoto (as evidenced by "applicants' admissions"); (16) Takahashi in view of Moser, Iwasaki and Kuramoto (as evidenced by "applicants' admissions"); (17) Hata in view of Moser, Iwasaki and Kuramoto (as evidenced by "applicants' admissions"); and (18) Iwasaki in view of Kuramoto (as evidenced by "applicants' admissions"), McInally and Moser.

Applicants submit that the amendment of claim 1 to include the limitation heretofore set forth in now-cancelled dependent claim 2 overcomes all the above grounds of rejection of claim 1,

and of claims 4 - 7 dependent thereon, since claim 2 was not rejected on any of those grounds.

That is to say, in response to the above grounds of rejection numbered (14)-(18), applicants submit that claim 1 as herein amended, and claims 4 - 7, dependent on claim 1, distinguish patentably over the applied references, however combined, for the same reasons as now-cancelled claim 2.

Double Patenting

The provisional obviousness-type double patenting rejection is noted. Since no patent has yet issued on application No. 10/302,898, it is believed unnecessary to submit a terminal disclaimer at this time.

For the foregoing reasons, it is believed that this application is now in condition for allowance. Favorable action thereon is accordingly courteously requested.

Respectfully,

S/

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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

S/

Christopher C. Dunham

Reg. No. 22,031 Date 9/19/05

Newly signed:

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